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2 THE HONORABLE JOHN C. COUGHENOUR
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IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

8 SCOTT AND KATHRYN KASEBURG, ET
9 AL,

10 vs.
11 Plaintiffs,

12 PORT OF SEATTLE, a municipal corporation;
13 PUGET SOUND ENERGY, INC., a
14 Washington for profit corporation,
15 KING COUNTY, a home rule charter county,
16 and CENTRAL PUGET SOUND REGIONAL
TRANSIT AUTHORITY, a municipal
corporation,

17 Defendants.

NO. 2:14-CV-000784-JCC

JOINT MOTION TO EXTEND TRIAL
SETTING

NOTE ON MOTION CALENDAR:
06/17/2015

18 **I. RELIEF REQUESTED**

19 Plaintiffs Scott and Kathryn Kaseburg et al and Defendants Port of Seattle, Puget Sound
20 Energy, Inc., King County, and Central Puget Sound Regional Transit Authority, for good cause,
21 hereby jointly request an order extending the present trial setting. Trial is currently set for
22 October 19, 2015. (*See* ECF No.38.) The parties jointly request that the present trial setting be
23 extended to October 2016 to allow the parties sufficient time to complete briefing of the issues in
24 the case and to allow for the completion of discovery in light of the fact that another defendant
25

1 has been joined to the case since the time of trial was last set. This is the first time any of the
2 parties have requested the trial date be extended.
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II. RELEVANT FACTS AND PROCEDURAL BACKGROUND

4 Plaintiffs seek declaratory judgment and an order to quiet title in the Lake Washington
5 Rail Corridor. This Court granted Plaintiffs' Motion for Leave to file their Third Amended
6 Complaint on September 30, 2014, which allowed Plaintiffs to join additional owners to the case
7 and further allowed Plaintiffs to add Central Puget Sound Regional Transit Authority as a
8 defendant. (*See* ECF No. 45.) The parties continue to engage in discovery.
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10 Currently before the Court is Defendants' Motion for Partial Summary Judgment on
11 Plaintiffs' Declaratory Judgment claim, noted for June 19, 2015.

III. RELEVANT FACTS AND PROCEDURAL BACKGROUND

12 Whether the Court should extend the trial setting to October 2016 in order to allow time
13 for additional discovery and time for the parties to complete briefing on the Defendants' current
14 motion for summary judgment.
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IV. AUTHORITY AND ARGUMENT

16 Extending the trial setting will serve the purpose of allowing additional time to conduct
17 discovery and further allow adequate time for the Court to consider Defendants' motion for
18 summary judgment. The parties also expect that extending the trial setting will provide time and
19 opportunity for additional briefing of the issues in the case. The parties state that none will
20 suffer any prejudice if the Court grants an extension, and that such an extension is in the interests
21 of justice.
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23

1 **V. CONCLUSION**

2 For the foregoing reasons, the parties respectfully request the Court extend the trial
3 setting in this matter to October 2016.

4 Date: June 17, 2015.

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